REMARKS

1.) Claim Amendments

Applicants have amended claim 55 to better claim the invention. Support for the amendments can be found, for example, on **page 8, lines 18-24** in the present patent application. Accordingly, claim 8 and 46-55 are pending in the present patent application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 112

Claim 55 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. More specifically, the Examiner has indicated that claim 55 is a single means claim. *MPEP 2164.08(a)*. In response, Applicants have amended claim 55 that now has several **structural** elements of means similar to the pending and allowable claim 46. *See, e.g., 35 U.S.C. § 112, sixth paragraph*. More specifically, the amended claim 55 comprises means for generating, means for formatting and means for transmitting. Accordingly, Applicants respectfully believe this rejection under 35 U.S.C. § 112, first paragraph, should be withdrawn.

3.) Claim Rejections – 35 U.S.C. § 102

Claim 55 stands rejected under 35 U.S.C. § 102 as being unpatentable over U.S. Patent No. 5,953,322 issued to Kimball (hereinafter "Kimball"). To support such rejection, Kimball must disclose every element of the invention as claimed. More particularly, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). With the above requirement in mind, Applicants respectfully submit that Kimball fails to disclose every element of the invention as specified in the amended independent claim 55.

In the Office Action, the Examiner admitted that "Kimball does **not** specifically disclose that the processor is configured to perform the functional steps of the claim" and argued that "the

processor of Kimball is capable of . . . [performing] these functions **if** given the proper instructions for execution". *Page 3, paragraph 2*. In effect, except for the preamble of claim 55, the Examiner does not consider any elements specified by claim 55 in the Examiner's determination to reject this claim. In response, Applicants have amended claim 55 and respectfully request the Examiner to consider **structural** elements of claim 55 in determining whether this claim is patentable over the prior art. *35 U.S.C. § 112, sixth paragraph*. Accordingly, Applicants respectfully request the Examiner to cite the proper prior art disclosing those structural elements of the processor specified in claim 55. Otherwise, claim 55 is not anticipated by and should be patentably distinguishable over Kimball.

4.) Allowable Subject Matter

The Examiner has indicated that claims 8 and 46-54 are allowed and such indication is greatly appreciated.

CONCLUSION

Claims 8 and 46-55 are presently standing in this patent application. In view of the foregoing remarks, each and every point raised in the Office Action mailed on December 13, 2006 has been addressed on the basis of the above remarks. Applicants believe all of the claims currently pending in this patent application to be in a condition for allowance. Reconsideration and withdrawal of the rejections are respectfully requested. However, should the Examiner believe that direct contact with Applicants' attorney would advance the prosecution of the application, the Examiner is invited to telephone the undersigned at the number given below.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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